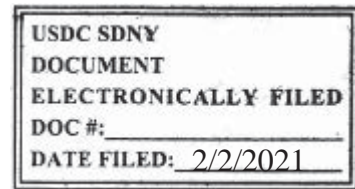


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Patricia Raad, et al,

Plaintiffs,

—v—

Bank Audi S.A.L.,

Defendant.

20-cv-11101 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On January 29, 2021, the Defendant filed a motion to dismiss. Dkt. No. 14. Pursuant to Rule 3.F of this Court’s Individual Practices in Civil Cases, on or before February 11, 2021, Plaintiffs must notify the Court and their adversaries in writing whether (1) they intend to file an amended pleading and when they will do so or (2) they will rely on the pleading being attacked. Plaintiffs are on notice that declining to amend their pleadings to timely respond to a fully briefed argument in the Defendant’s January 29, 2021 motion to dismiss may well constitute a waiver of the Plaintiffs’ right to use the amendment process to cure any defects that have been made apparent by the Defendant’s briefing. *See Loreley Fin. (Jersey) No. 3 Ltd. v. Wells Fargo Sec., LLC.*, 797 F.3d 160, 190 (2d Cir. 2015) (leaving “unaltered the grounds on which denial of leave to amend has long been held proper, such as undue delay, bad faith, dilatory motive, and futility”).

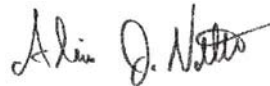
If Plaintiffs choose to amend, Defendant may then (a) file an answer; (b) file a new motion to dismiss; or (c) submit a letter stating that it will rely on the initially-filed motion to dismiss.

Nothing in this Order alters the time to amend, answer or move provided by the Federal

Rules of Civil Procedure or Local Rules.

SO ORDERED.

Dated: February 2, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", is positioned above a horizontal line.

ALISON J. NATHAN
United States District Judge